

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.25984 of 2015

Date of Decision:-19.01.2016

Uttam Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. R.K. Handa, Advocate for the Petitioner.

Mr. Mikhail Kad, AAG Punjab assisted by
HC Surinder Singh.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Uttam Singh in case FIR No.43 dated 23.04.2015 for offences punishable under Sections 419, 420, 465, 467, 468, 471 and 120-B of Indian Penal Code registered with Police Station Balongi, District SAS Nagar Mohali.

The role of the petitioner is that of an attesting witness to the alleged fake agreement to sell executed by real owner Gurvinder Singh @ Garry and got executed by main accused Guvinder Singh @ Gurpreet Singh. By way of impersonation a sum of Rs.60 lacs was taken as earnest money from the proposed vendee Paramjit Singh. The petitioner is alleged to have

received a sum of Rs.10 lacs out of the said booty.

It is contended that the petitioner is in custody since 23.4.2015 and the case is at the stage of recording of prosecution evidence. He further submits that the other co-accused Jagtar Singh with similar alleged role has since been granted regular bail. It is further contended that the trial is exclusively triable by Magistrate.

Learned State Counsel assisted by HC Surinder Singh does not refute the factum of grant of regular bail to co-accused Jagtar Singh, Harbhajan Singh and Jai Singh as also that the trial is at the initial stage.

Without commenting on the merits of the case, keeping in view the custody period and the fact that the case is at the initial stage of trial, no useful purpose would be served by keeping the petitioner behind the bars, as such the present petition is allowed and the petitioner Uttam Singh is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, SAS Nagar, Mohali.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

January 19, 2016
Vinay